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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/880,044	06/14/2001	Naoka Hiramatsu	018775-831	5971

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EXAMINER

DIVINE, LUCAS

ART UNIT

PAPER NUMBER

2624

DATE MAILED: 01/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/880,044

Applicant(s)

HIRAMATSU ET AL.

Examiner

Lucas Divine

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8-15 is/are allowed.
- 6) ☒ Claim(s) 1 and 3-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. Claims 1 and 3 – 15 are pending.

### ***Response to Arguments***

2. Applicant's arguments, see remarks, filed 10/25/05, with respect to claims 8 – 15 have been fully considered and are persuasive. The rejections of claims 8 – 15 have been withdrawn.
3. Applicant's arguments with respect to claims 1 and 2 – 7 have been considered but are moot in view of the new ground(s) of rejection as necessitated by the amendment.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1 and 3 – 7 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Examiner has not been able to locate support for the second converter converting input image data to second image data in correspondence to characteristics of a image output device. All found discussions of characteristics of the image output device relate to converting to

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generate detection parameters as claimed in claim 8. Thus, claims 1, and 3 - 7 are rejected for introducing new matter into the claims without support in the original specification.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3 – 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tachikawa et al. (US 5652803) in view of Kuwata (US 6404509).

Regarding claims 1, 5, 6, and 7, Tachikawa teaches an **image processing system** (examples shown in Figs. 1-5) **comprising an image processor (e.g. 102) which processes input image data (from 101/501) and outputs the processed data (to 103/417/506), and an image output device (e.g. 103/417/506) which receives the processed data and outputs an image, said image processor comprising:**

**a memory device (e.g. 513, Fig. 8) which stores output inhibition conditions for inhibiting print of an image including a specified pattern (col. 13 lines 35-40);**

**a first converter (e.g. 503) which converts the input image data to first image data for image forming (data must be in CMYK for output to the printer; col. 12 lines 47-49);**

**a second converter (e.g. 511) which converts the input image data to second image data (col. 13 lines 43-45);**

**a detector (e.g. 512) which detects the specified pattern in the second image data converted by said second converter (Fig. 8, wherein data from 511 goes to 512; col. 12 line 67 – col. 13 line 5 and col. 13 line 48), based on the output inhibition conditions stored in said memory device (col. 13 line 4); and**

**a controller (e.g. 401, Fig. 7) which controls the output of the first image data converted by said first converter, according to a result of the detection by said detector (see Fig. 14B, wherein the main CPU inhibits printing if the determination indicates counterfeit, see also Fig. 21).**

Tachikawa thus teaches doing color processing on input data before doing pattern detections and also teaches that color processing can include color correction. Tachikawa does not specifically teach that color processing can include color correction **in correspondence to characteristics of the image output device.**

However, Kuwata teaches color processing including color correction **in correspondence to characteristics of the image output device** (e.g. Fig. 39, Fig. 40, S14, S530, S540, col. 18 lines 22-25, col. 11 lines 20-30, col. 12 lines 10-16; as well as further discussion in cols. 29 and 30, wherein the look-up table based on output characteristics is used in image conversion).

It would have been obvious to one of ordinary skill in the art that color processing can be performed in correspondence to an image output device. The motivations for doing so would have been to allow the detection and processing system to most correctly prepare and analyze the data based on how it will be outputted by the output device. Another motivation is to correct deviations in color balance as discussed in Kuwata col. 1 lines 40-45.

Regarding claim 3, which depends from claim 1, Tachikawa teaches **the output inhibition conditions are independent of the input image data and the image output device** (as an example, counterfeit money patterns have are supplied and do not depend on the input image data and the image output device, money patters are dependent on what money is developed by the government).

Regarding claim 4, which depends from claim 1, Kuwata teaches that the color correction in correspondence to output device includes tables discussed throughout including **second converter comprises a conversion table based on measurement values of color of the print** (LUT discussed in Fig. 39 and shown and discussed elsewhere as well).

### *Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ogawa et al. (US 2003/0193569) teaches digital image-sensing apparatus and control method therefor, see specifically Fig. 3.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

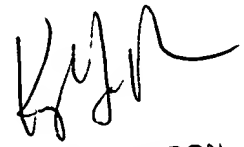
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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lucas Divine whose telephone number is 571-272-7432. The examiner can normally be reached on Monday - Friday, 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**KING Y. POON**  
**PRIMARY EXAMINER**

Lucas Divine  
Examiner  
Art Unit 2624

ljd